

## REMARKS

Claims 41-78 are in the application.

The claims have been amended to more particularly point out and distinctly claim applicant's invention. Claims 1-39 have been cancelled, and the subject matter of claims 1-39 is presented in rewritten form in new claims 41-78. In particular, applicant notes that the limitation of dependent claim 3 has now been incorporated in the independent claim 41. Claim 40, drawn to non-elected subject matter, stands withdrawn. The new claims are fully supported by the application as filed, and present no new matter.

The Examiner has required restriction of one of the following inventions pursuant to 35 U.S.C. § 121 and 372.

Group I, claims 1-39, drawn to liquid compositions.

Group II, claim 40, drawn to a manufacturing method of liquid compositions.

Applicant elects Group I, corresponding to present claims 41-78, without traverse.

The Examiner has further required an election of species of the generic invention:

The Examiner has identified the following species:

- a. physical modification of the content of the capsule by inverted latexes and/or lipophilic hydrocolloid [claim 3] or by means of gellification and/or formation of a porous lattice [claim 4]
- b. Release kinetics modulated by introduction or not of hydrophilic plasticizers, etc. [claims 6], is a function or not of pH [claim 7], or is a function of digestive enzymes [claim 8]

- c. Lipophilic hydrocolloid solutions constituted of synthetic polymers and/or natural derivatives [claim 18]

The Examiner has deemed claims 18-21 as corresponding to species (a), claim 22-32 as corresponding to species (b), and claims 33-36 as corresponding to species (c). Further, the Examiner has deemed claims 1-2, 5-7, 9-17 and 37-39 as generic with respect to the identified species.

Applicant respectfully elects the species of Group (a), with traverse, as applicable to the amended claims. Since the limitations of claim 3 have now been incorporated in the new independent claim, all claims in the application, new claims 41-78, correspond to the elected species, and all relate to a single general inventive concept.

Applicant respectfully notes that the patents cited by the Examiner in the restriction requirement, U.S. Patents 4,678,516, 4,704,285 and 7,056,531, all relate to solid materials, or tablets, which do not contain liquids as do soft capsules. Sustained release from tablets is materially different from sustained release from liquid-filled capsules. Sustained release as disclosed by the present invention is provided by the inverted latex or lipophilic colloid solution, and not cellulose. None of the cited patents relate to the same general inventive concept as the presently claimed invention.